

PATENT

CERTIFICATE OF MAILING PURSUANT TO 37 CFR § 1.8

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6/2/06

Michelle Hobson

Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Jo MILNER

Serial No.: 10/549,711

International Appl. No. PCT/GB2004/001128

International Filing Date: 17 March 2004

Title: REGULATION OF GENE EXPRESSION

Examiner:

Group Art Unit:

Confirmation No.: 2196

Customer No.: 20855

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications _____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ___ to which the above-identified application claims priority under 35 U.S.C. §120.

Publication(s) A1, B1-B3 and C1-C5 listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to PCT/GB2004/001128 and mailed on November 11, 2004.

Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

Enclosed is a copy of a non-English publication(s) ___. English language publication __ (copy enclosed) claims priority from this non-English publication.

Enclosed is an explanation of non-English publication(s) ___ for which an English translation is not available.

Enclosed is an English translation of non-English publication(s) ___ cited in the attached Form PTO/SB/08A.

Enclosed is a copy of pending patent Application Serial No. ___.

This Information Disclosure Statement is filed within any one of the following time periods:

within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);

within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;

before the mailing date of a first office action on the merits; or

before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Date: June 2, 2006

By: 
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PTO/SB/08A (08-00)

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|---|---|----|---|--------------------------|---------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| Sheet | 1 | of | 1 | Application Number | 10/549,711 |
| | | | | Int'l Filing Date | 17 March 2004 |
| | | | | First Named Inventor | Jo MILNER |
| | | | | Group Art Unit | |
| | | | | Examiner Name | |
| | | | | Attorney Docket Number | 4100-0001 |

| U.S. PATENT DOCUMENTS | | | | | |
|------------------------------|-----------------------|----------------------|--------------------------------------|---|--|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY |
| | | Number | Kind Code ² (if known) | | |
| | A1 | 6,414,134 | B1 | Reed | 07-02-2002 |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | T ⁶ |
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | |
| | B1 | WO | 02/055692 | A2 | RIBOPHARMA | 07-18-2002 | |
| | B2 | WO | 03/040366 | A2 | CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE | 05-15-2003 | |
| | B3 | WO | 03/070969 | A2 | RIBOZYME PHARMACEUTICALS, INC. | 08-28-2003 | |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | | | | |
|--|-----------------------|---|--|--|--|--|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | | | | |
| | C1 | Cioca et al., "RNA INTERFERENCE IS A FUNCTIONAL PATHWAY WITH THERAPEUTIC POTENTIAL IN HUMAN MYELOID LEUKEMIA CELL LINES," <i>Cancer Gene Therapy</i> 10:125-133 (2003) | | | | |
| | C2 | Gautschi et al., "ACTIVITY OF A NOVEL BCL-2/BCL-XL-BISPECIFIC ANTISENSE OLIGONUCLEOTIDE AGAINST TUMORS OF DIVERSE HISTOLOGIC ORIGINS," <i>Journal of the National Cancer Institute</i> 93:465-471 (2001) | | | | |
| | C3 | Jiang, et al., "BCL-2 CONSTITUTIVELY SUPPRESSES P53-DEPENDENT APOPTOSIS IN COLORECTAL CANCER CELLS," <i>Genes & Development</i> 17:832-8327 (2003) | | | | |
| | C4 | Takashi et al., "INDUCTION OF APOPTOSIS IN HELA CELLS WITH SIRNA EXPRESSION VECTOR TARGETED AGAINST BCL-2," <i>Nucleic Acids Research Supplement Abstract only</i> (2001) | | | | |
| | C5 | Wacheck et al., "SMALL INTERFERING RNA TARGETING BCL-2 SENSITIZES MALIGNANT MELANOMA," <i>Oligonucleotides</i> 13:393-400 (2003) | | | | |

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|--------------------|-----------------|--|
| Examiner Signature | Date Considered | |
|--------------------|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.